

APPLICATION FOR REGISTRATION OF TIME SHARE PROJECT

INSTRUCTIONS

1. PLEASE FILL OUT THE APPLICATION COMPLETELY. (TYPE OR PRINT)
2. IF AN ITEM DOES NOT APPLY, MARK "N/A".
3. IF ADDITIONAL SPACE IS NEEDED TO ANSWER A QUESTION, PROVIDE ATTACHMENTS IN THE SAME FORMAT AS THE QUESTION AND LABEL AS INDICATED.
4. PLEASE GIVE DIRECT ADDRESSES FOR ALL ADDRESSES REQUESTED (NOT POST OFFICE BOX NUMBERS OR ADDRESSES C/O OTHERS). IF DIRECT STREET ADDRESSES OR TELEPHONE NUMBERS ARE NOT AVAILABLE, SO STATE AND PROVIDE SUBSTITUTES, IDENTIFYING THE SUBSTITUTES.
5. THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS SHOULD BE SECURELY BOUND AND FASTENED AT THE TOP BETWEEN FIRM COVERS APPROXIMATELY 9 x 15 INCHES IN SIZE. THE APPLICATION SHOULD BE THE FIRST DOCUMENT IN THE FILING, FOLLOWED BY EACH REQUIRED ATTACHMENT IN THE ORDER CALLED FOR IN THIS APPLICATION.
6. ALL DOCUMENTS REQUIRED TO BE FILED WITH THIS APPLICATION MUST BE TRUE COPIES IN PROPER FORM. APPLICATIONS WHICH DO NOT CONTAIN COMPLETE AND PROPER DOCUMENTATION SHALL BE CONSIDERED INCOMPLETE.
7. EACH FILING SHOULD CONTAIN A TABLE OF CONTENTS LISTING EACH DOCUMENT BY TITLE.
8. EACH DOCUMENT SHALL:
 - (1) BEAR A NOTATION INDICATING WHETHER IT IS TO BE DISTRIBUTED TO PURCHASERS OR IS SUBMITTED FOR COMMISSION EXAMINATION ONLY.
 - (2) BE TABBED AND LABELED ON THE RIGHT SIDE, IDENTIFYING THE DOCUMENT BY TITLE. PLEASE DO NOT SUBMIT TWO-SIDED DOCUMENTS.



OFFICE USE
CONTROL NO. _____

Fee ☐ _____ Rec'd _____
_____ Ret'd _____

APPLICATION FOR REGISTRATION OF TIME SHARE PROJECT

IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 93A OF THE GENERAL STATUTES OF NORTH CAROLINA AND REAL ESTATE COMMISSION RULE 58B.0101, THE UNDERSIGNED DEVELOPER REQUESTS REGISTRATION OF THE FOLLOWING TIME SHARE PROJECT AND HEREWITH SUBMITS A REGISTRATION FEE PURSUANT TO THE ATTACHED FEE SCHEDULE. [FEE IS PAYABLE ONLY BY CASHIERS OR CERTIFIED CHECK.]

EXACT NAME OF PROJECT: _____

ADDRESS OF PROJECT: _____
(Street Address or Highway Number)

MAILING ADDRESS: _____

TELEPHONE: () _____ COUNTY WHERE PROJECT LOCATED _____

I.

DEVELOPER

A. NAME OF DEVELOPER: _____

B. ADDRESS OF PRINCIPAL PLACE OF BUSINESS OF DEVELOPER: _____
_____ TELEPHONE: () _____

C. DEVELOPER IS A (CHECK ONE) ☐ SOLE PROPRIETORSHIP ☐ PARTNERSHIP ☐ LLC
☐ CORPORATION ☐ JOINT VENTURE ☐ OTHER (SPECIFY) _____

1. IF THE DEVELOPER IS A CORPORATION OR LLC, ATTACH

a. A COPY OF ITS CERTIFICATE OF INCORPORATION OR CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN NORTH CAROLINA ISSUED BY THE NORTH CAROLINA SECRETARY OF STATE.

b. THE IRREVOCABLE APPOINTMENT OF THE REAL ESTATE COMMISSION TO RECEIVE SERVICE OF ANY PROCEEDING ARISING UNDER THE PROVISIONS OF N.C.G.S. § 93A ARTICLE 4 AGAINST THE DEVELOPER OR ITS AGENT (USE THE FORM PROVIDED BY THE COMMISSION FOR THIS PURPOSE).

2. IF THE DEVELOPER IS A PARTNERSHIP OR JOINT VENTURE, ATTACH A COPY OF ANY PARTNERSHIP OR JOINT VENTURE AGREEMENT.

D. PRINCIPALS, OFFICERS, DIRECTORS, PARTNERS, MANAGERS, OR TRUSTEES OF DEVELOPER (NAME, ADDRESS, TELEPHONE NUMBER):

1. _____, ()
2. _____, ()
3. _____, ()
4. _____, ()
5. _____, ()
(LABEL ANY ADDITIONAL SHEET(S) "DEVELOPER INFORMATION")

E. DEVELOPER'S LEGAL COUNSEL (NAME, ADDRESS, TELEPHONE NUMBER):

_____, ()

F. ATTACH A COPY OF THE DEVELOPER'S CERTIFIED FINANCIAL STATEMENT (PREPARED WITHIN THE LAST NINE (9) MONTH(S) INCLUDING BALANCE SHEET, A PROFIT AND LOSS STATEMENT, AND A STATEMENT OF NET WORTH.

G. BRIEFLY DESCRIBE THE DEVELOPER'S FINANCIAL ARRANGEMENTS TO PAY THE COSTS ASSOCIATED WITH INVENTORY (REAL ESTATE TAXES, DEBT SERVICES, CARRYING CHARGES, OWNERS ASSOCIATION ASSESSMENTS, COSTS OF REFURBISHING INVENTORY, ETC.) :

H. BRIEFLY DESCRIBE THE DEVELOPER'S REAL ESTATE EXPERIENCE (IF ANY):

(LABEL ANY ADDITIONAL SHEET(S) "REAL ESTATE EXPERIENCE")

I. IF THE DEVELOPER ENTITY (OR ANY PERSON IN THE DEVELOPER ENTITY) HAS PREVIOUSLY DEVELOPED OR BEEN SUBSTANTIALLY INVOLVED WITH THE DEVELOPMENT OF ANY OTHER TIME SHARE PROJECT, OR CAMPGROUND, CLUB MEMBERSHIP, CO-OWNERSHIP, OR SIMILAR TYPE OF PROJECT IN THIS OR ANY OTHER STATE OR COUNTRY IN THE LAST TEN YEARS, LIST THE LAST THREE PROJECTS INVOLVED:

1. PROJECT: _____
ADDRESS: _____
TELEPHONE: () _____ PROJECT TYPE: _____
NAME AND POSITION/TITLE OF PERSON OR ENTITY INVOLVED:

2. PROJECT: _____
ADDRESS: _____
TELEPHONE: () _____ PROJECT TYPE: _____
NAME AND POSITION/TITLE OF PERSON OR ENTITY INVOLVED:

3. PROJECT: _____
ADDRESS: _____
TELEPHONE: () _____ PROJECT TYPE: _____
NAME AND POSITION/TITLE OF PERSON OR ENTITY INVOLVED:

AFFIANT COMMENT ON PART "H" or "I" DISCLOSURE, IF ANY: _____

J. STATE WHETHER ANY PRINCIPAL, OFFICER, DIRECTOR, PARTNER, TRUSTEE, MANAGER OR CHIEF EXECUTIVE OFFICER OF THE DEVELOPER OR MARKETER OR MANAGER ENTITY HAS BEEN INVOLVED AS A DEFENDANT IN ANY ACTION BEFORE A FEDERAL, STATE, OR FOREIGN COURT OR ADMINISTRATIVE AGENCY INCLUDING A DISCIPLINARY PROCEEDING BEFORE ANY GOVERNMENTAL BODY OR AGENCY DURING THE PRECEDING FIVE (5) YEARS: ☐ YES ☐ NO
* IF "YES", DESCRIBE AND ATTACH CERTIFIED COPIES OF DOCUMENTS SHOWING THE PARTICULARS OF EACH PROCEEDING.

K. STATE WHETHER ANY PRINCIPAL, OFFICER, DIRECTOR, PARTNER, TRUSTEE, MANAGER OR CHIEF EXECUTIVE OFFICER OF THE DEVELOPER OR MANGER ENTITY HAS BEEN ADJUDICATED A BANKRUPTCY OR UNDERGONE ANY PROCEEDING FOR THE RELIEF OF DEBTORS DURING THE PRECEDING FIVE (5) YEARS: ☐ YES ☐ NO. *IF "YES", DESCRIBE AND ATTACH COPIES OF THE BANKRUPTCY ORDER OR THE PETITION FILED IN ANY PENDING BANKRUPTCY PROCEEDING.

II.

PREVIOUS TIME SHARE DEVELOPER

NOTE: IF THE TIME SHARE PROJECT FOR WHICH REGISTRATION IS SOUGHT HAS NOT HAD A PREVIOUS TIME SHARE DEVELOPER, PROCEED TO SECTION III.

- A. NAME, ADDRESS, AND TELEPHONE NUMBER OF PREVIOUS DEVELOPER(S), AND TIME SHARE REGISTRATION CERTIFICATE NUMBER(S) IF KNOWN: _____

- B. NUMBER OF TIME SHARE OWNERS (OTHER THAN REGISTRANT) AT THE PROJECT: _____
AND A DESCRIPTION OF THE MANNER IN WHICH THEY WILL BE NOTIFIED OF THE CHANGE OF DEVELOPERS: _____

- C. STATE WHETHER A FINANCIAL REVIEW, AUDIT OR OTHER FINANCIAL ANALYSIS OF THE TREASURY OF THE OWNERS ASSOCIATION (OR OTHER ENTITY RESPONSIBLE FOR THE OPERATING OF THE PROJECT) HAS BEEN MADE DURING THE PRECEDING TWELVE MONTHS:
☐ YES ☐ NO. **IF "YES", IDENTIFY THE OPERATING ENTITY BY NAME AND THE TYPE OF FINANCIAL ANALYSIS MADE, AND ASSESS ITS FINANCIAL CONDITION:* _____

(LABEL ANY ADDITIONAL SHEET(S) "OPERATING ENTITY")

III.

PROJECT

- A. IF THE DEVELOPER ENTITY IS NOT THE RECORD OWNER OF ALL LAND NOW SUBMITTED OR TO BE SUBMITTED TO TIME SHARE IN A SINGLE CONSTRUCTION PHASE OR IN SUBSEQUENT CONSTRUCTION PHASES,
1. ATTACH A COPY OF ANY CONTRACT OR OPTION WHICH THE DEVELOPER HAS EXECUTED FOR THE PURCHASE OF THE LAND OR ANY LEASE UNDER WHICH HE HOLDS THE LAND.
 2. LIST BELOW THE NAME(S) AND ADDRESS(ES) OF ALL CURRENT OWNER(S) OF THE LAND AND DESCRIBE THE INTEREST WHICH THE DEVELOPER HAS IN SUCH LAND:

(LABEL ANY ADDITIONAL SHEETS "TITLE TO LAND")

B. FURNISH RECORDING REFERENCE(S) FOR THE CURRENT DEED, CONTRACT OR OTHER INSTRUMENT FOR THE LAND (COUNTY/BOOK/PAGE): _____

C. ATTACH A CURRENT CERTIFICATE OR OPINION OF TITLE ISSUED WITHIN THE PRECEDING THIRTY (30) DAYS BY A LICENSED ATTORNEY WHO IS NOT A SALARIED EMPLOYEE, OFFICER OR DIRECTOR OF THE TIME SHARE PROJECT INCLUDING ALL ENCUMBRANCES AGAINST IT. IF THE LEGAL DESCRIPTION OF THE LAND CONTAINED IN THE TITLE CERTIFICATE OR OPINION IS NOT IDENTICAL TO THE LEGAL DESCRIPTION OF THE LAND CONTAINED IN THE TIME SHARE PROJECT INSTRUMENTS, ATTACH ALSO A CERTIFICATION EXECUTED BY A REGISTERED LAND SURVEYOR OR A LICENSED ATTORNEY THAT THE SUBMITTED LAND DESCRIBED IN THE TIME SHARE PROJECT IS THE SAME LAND OR LIES WHOLLY WITHIN THE BOUNDARIES OF THE LAND DESCRIBED IN THE TITLE CERTIFICATE OR OPINION. FOR PROJECTS WHICH WILL NOT BE COMPLETED IN ONE PHASE, THE TITLE OPINION MUST INDICATE WHETHER IT ENCOMPASSES ALL LAND WHICH MAY BE INCLUDED IN THE PROJECT ULTIMATELY, OR ONLY A PARTICULAR PART OF THE LAND.

D. IF THE PROJECT IS SUBJECT TO A BLANKET ENCUMBRANCE, STATE THE PROVISIONS MADE TO PROTECT PURCHASERS FROM LOSING THEIR INTERESTS TO THIRD PARTY CREDITORS SHOULD THE DEVELOPER DEFAULT: _____

(LABEL ANY ADDITIONAL SHEETS "BLANKET ENCUMBRANCE")

E. ATTACH A LEGIBLE COPY OF THE EXISTING OR PROPOSED TIME SHARE PROJECT PLOT (REDUCTIONS ARE ACCEPTABLE).

F. IF THE PROJECT IS SUBJECT TO ANY NATURAL HAZARDS (HURRICANES, FLOODS, TORNADOES, EARTHQUAKES, MUD SLIDES, FOREST FIRES, AVALANCHES, ECT.), DESCRIBE THEIR EXISTENCE, SEVERITY AND FREQUENCY: _____

(LABEL ANY ADDITIONAL SHEET(S) "NATURAL HAZARDS")

G. DESCRIBE THE ARRANGEMENTS MADE BY THE DEVELOPER TO PROVIDE ADEQUATE PROPERTY AND CASUALTY INSURANCE ON THE PREMISES FOR THE TIME SHARE OWNERS:

(LABEL ANY ADDITIONAL SHEET(S) "INSURANCE")

IV.

IMPROVEMENTS

A. IF THE INSTRUMENT CREATING THE TIME SHARE PLAN (DECLARATION OF CONDOMINIUM, DECLARATION OF CO-OWNERSHIP INTERESTS, ETC.) IS CURRENTLY RECORDED:

1. PROVIDE THE RECORDING REFERENCE (COUNTY/BOOK/PAGE): _____

2. ATTACH A COPY OF THE COMPLETE EXISTING OR PROPOSED DECLARATION OF TIME SHARE, OR OTHER DECLARATION, CONTRACT, COVENANTS OR RESTRICTIONS WHICH HAS CREATED OR WILL CREATE THE TIME SHARE PROGRAM.

B. UNITS

1. DOES THE DEVELOPER INTEND TO COMPLETE CONSTRUCTION OF ALL UNITS IN THE TIME SHARE PROJECT PRIOR TO SELLING ANY TIMES? (CHECK ONE) ☐ YES ☐ NO ☐ N/A

2. HAS CONSTRUCTION BEGUN ON ANY UNITS? ☐ YES ☐ NO ☐ N/A

3. HOW MANY UNITS WILL THE PROJECT CONTAIN? _____

4. HOW MANY UNITS ARE COMPLETE AT THIS DATE? _____

5. WHAT IS THE ANTICIPATED COMPLETION OF DATE OF ALL THE OTHER UNITS?

6. IF THE PROJECT IS UNBUILT, PARTIALLY BUILT, OR UNDERGOING SUBSTANTIAL RENOVATION, ATTACH A PLANNED CONSTRUCTION STATEMENT DESCRIBING THE PLANNED IMPROVEMENTS, INCLUDING CONSTRUCTION DETAILS, MATERIALS, MECHANICAL COMPONENTS AND COST ESTIMATES FOR EACH.

7. WHAT TYPE OF UNIT WILL BE OFFERED(CABIN, HOTEL ROOM, APARTMENT, CONDOMINIUM UNIT, SINGLE FAMILY HOME, ETC.) ? _____

8. IS THERE A "PHASING PLAN" DESCRIBED IN THE LEGAL DOCUMENT CREATING THE TIME SHARE PROJECT? ☐ YES ☐ NO ☐ N/A

9. DOES THE DEVELOPER COMMIT TO BUILD OUT THE PHASED TIME SHARE PROJECT? ☐ YES ☐ NO ☐ N/A

C. TIME SHARES

1. HOW MANY TIME SHARES WILL BE CONTAINED IN EACH UNIT (52 TIME SHARES, 10 FIVE-WEEK BUNDLES, ETC.) ? _____
2. HOW MANY TIME SHARES WILL BE CONTAINED IN THE ENTIRE PROJECT IF/WHEN IT IS COMPLETELY BUILT OUT? _____

D. EXISTING IMPROVEMENTS

1. IF THE PLAN IS TO BE WHOLLY OR PARTIALLY CREATED ON PREVIOUSLY OCCUPIED IMPROVEMENTS, DESCRIBE THE PREVIOUS USE AND THE AGE AND CONSTRUCTION MATERIAL (BRICK, WOOD FRAME, ETC.) OF THE IMPROVEMENTS: _____

(LABEL ANY ADDITIONAL SHEET(S) "PREVIOUSLY OCCUPIED IMPROVEMENTS")

3. IF THE DEVELOPER PLANS TO SUBSTANTIALLY RENOVATE A CONVERTED PROJECT PRIOR TO SALE, WILL THE RENOVATION BE PRIMARILY ☐ INTERIOR ☐ EXTERIOR ☐ BOTH ☐ N/A ?
4. IF RENOVATION HAS NOT YET BEGUN, WHAT IS THE ANTICIPATED BEGINNING DATE? _____

E. SHARED FACILITIES

1. BRIEFLY DESCRIBE ANY OTHER NON-TIME SHARE PROPERTY (LOTS, WHOLE CONDOMINIUM UNITS, ETC.) IN THE PROJECT WHOSE OWNER WILL SHARE FACILITIES WITH TIME SHARE OWNERS: _____

(LABEL ANY ADDITIONAL SHEET(S) "NON-TIME SHARE PROPERTY")

2. WILL TIME SHARE OWNERS BELONG TO THE SAME OWNERS' ASSOCIATION AS OWNERS OF OTHER TYPES OF REAL PROPERTY IN THE PROJECT? ☐ YES ☐ NO ☐ N/A

V.

**RECREATIONAL FACILITIES, AMENITIES, AND
OTHER COMMON USE FACILITIES**

A. PLANS/OWNERSHIP

[NOTE: EXAMPLES OF OWNERSHIP INCLUDE OWNERSHIP BY THE DEVELOPER; SUBMITTED TO CONDOMINIUM; BY THE OWNERS' ASSOCIATION; IN UNDIVIDED SHARES BY THE OWNERS; ETC. DEVELOPERS WHO ARE UNCERTAIN AS TO HOW THE FACILITIES WILL BE OWNED, SHOULD CONSULT LEGAL COUNSEL.]

1. DESCRIBE ALL RECREATIONAL AND OTHER AMENITIES AND FACILITIES WHICH ARE CURRENTLY A PART OF THE TIME SHARE AND HOW THEY WILL BE OWNED:

(LABEL ANY ADDITIONAL SHEET(S) "AMENITIES AND FACILITIES")

2. DESCRIBE ANY OTHER AMENITIES AND FACILITIES THE DEVELOPER COMMITS HIMSELF TO BUILD, INCLUDING THE DATE THEY ARE EXPECTED TO BE SUBSTANTIALLY COMPLETE AND HOW THEY WILL BE OWNED: _____

(LABEL ANY ADDITIONAL SHEET(S) "COMMITTED AMENITIES AND FACILITIES")

3. DESCRIBE ANY OTHER AMENITIES OR FACILITIES THE DEVELOPER PLANS (BUT DOES NOT COMMIT HIMSELF) TO BUILD, INCLUDING THE DATE OR EVENTS AT WHICH HE ANTICIPATES THEY WOULD BE SUBSTANTIALLY COMPLETE AND HOW THEY WILL BE OWNED: _____

(LABEL ANY ADDITIONAL SHEET(S) "PLANNED AMENITIES AND FACILITIES")

B. CONCURRENT TIME SHARE AND COMMERCIAL OWNERSHIP

1. IF THERE WILL BE CONCURRENT TIME SHARE AND COMMERCIAL OPERATION (RESTAURANT, MARINA, COUNTRY CLUB, ETC.) IN THE PROJECT, WILL THE DEVELOPER'S COST OF MAINTENANCE AND OPERATION OF SUCH COMMERCIAL OPERATIONS BE SHARED (EXCEPT BY VOLUNTARY USE BY THE INDIVIDUAL TIME SHARE OWNER SUBSIDIZED BY TIME SHARE OWNERS?) ☐ YES ☐ NO ☐ N/A

2. IF "YES", BRIEFLY DESCRIBE THE SPECIFIC COMMERCIAL OPERATIONS AND HOW SUCH COSTS WILL BE APPORTIONED, AND IDENTIFY THE DOCUMENT(S) DESCRIBING SUCH APPORTIONMENT: _____

(LABEL ANY ADDITIONAL SHEET(S) "COMMERCIAL OPERATIONS")

VI.

CONVEYANCING AND DEVELOPER FINANCING

- A. DESCRIBE THE REAL PROPERTY TYPE (CONDOMINIUM, TENANCY-IN-COMMON, ETC.) WHICH WILL BE OFFERED TO PURCHASERS (CONSULT YOUR LEGAL COUNSEL FOR PRECISE DESCRIPTION):

(LABEL ANY ADDITIONAL SHEET(S) "REAL PROPERTY TYPE")

- B. FULLY DESCRIBE THE LEGAL ESTATE OR INTEREST TO BE CONVEYED TO PURCHASERS OR THE LEASE OR RIGHT TO BE GRANTED (CONSULT YOUR LEGAL COUNSEL FOR PRECISE DESCRIPTION):

1. ATTACH A COPY OF THE TIME SHARE DEED, CONTRACT OR OTHER INSTRUMENT TO BE USED TO CONVEY TIME SHARES TO PURCHASERS.
2. ATTACH A COPY OF THE SALES CONTRACT OR PURCHASE AGREEMENT FORM TO BE USED IN CONNECTION WITH THE SALE OF TIME SHARES.
3. ATTACH A COPY OF **EACH** DOCUMENT (HOWEVER DENOMINATED) TO BE DISTRIBUTED TO PROSPECTIVE PURCHASERS OR CONTRACT PURCHASERS EITHER PRIOR TO, DURING, OR IMMEDIATELY FOLLOWING THE TIME OF SALE, INCLUDING A COPY OF THE PROPOSED PUBLIC OFFERING STATEMENT COMPLYING WITH N.C.G.S. 93A-44 AND THE REAL ESTATE COMMISSION'S RULES.

- C. IF THE DEVELOPER WILL OFFER FINANCING TO PURCHASERS, DOES THE DEVELOPER PROPOSE TO (CHECK ONE) ☐ HOLD THE PAPER ☐ SELL, TRANSFER OR HYPOTHECATE IT TO A FINANCING INSTITUTION ☐ BOTH ☐ N/A

ATTACH A COPY OF THE FINANCING CONTRACT, NOTE, DEED OF TRUST, OR OTHER INSTRUMENT.

- D. EXCHANGE PROGRAMS

1. IF PURCHASERS OF TIME SHARES WILL BE OFFERED MEMBERSHIP IN AN EXCHANGE PROGRAM, DESCRIBE THE RELATIONSHIP BETWEEN THE DEVELOPER AND EACH EXCHANGE PROGRAM: _____

2. NAME AND ADDRESS OF EACH EXCHANGE SERVICE: _____

3. FOR EACH EXCHANGE SERVICE LISTED ABOVE, ATTACH A COPY OF THE INFORMATION REQUIRED TO BE DISCLOSED BY N.C.G.S. 93A-48.
4. IF THE DEVELOPER WILL PAY FOR AN INITIAL SUBSCRIPTION FOR EACH TIME SHARE BUYER, SPECIFICALLY STATE THE TERM OF THE INITIAL SUBSCRIPTION (ONE YEAR FROM DATE TO PURCHASE AGREEMENT, TWO YEARS FROM DATE OF BUYERS FIRST USE OF THE TIME SHARE, ETC.): _____
- _____

VII.

MARKETING ENTITY

FOR THE PURPOSE OF THIS APPLICATION, THE TERM "MARKETING ENTITY" REFERS TO THE PERSON OR ENTITY ENGAGED BY THE DEVELOPER FOR THE PURPOSE OF SELLING (OR OFFERING TO SELL) TIME SHARES IN THE PROJECT.

A. MARKETING ENTITY

1. NAME: _____
2. ADDRESS & TELEPHONE NUMBER: _____
- _____
3. REAL ESTATE LICENSE NUMBER (IF CORPORATION) : _____
- _____, ()
4. NAME, BUSINESS ADDRESS, & TELEPHONE NUMBER OF EACH OWNER OR PRINCIPAL:
- (1) _____, ()
- (2) _____, ()
- (3) _____, ()
- (4) _____, ()
- (5) _____, ()
- (LABEL ANY ADDITIONAL SHEET(S) "MARKETING ENTITY OWNERSHIP")
5. IF THE MARKETING ENTITY IS OWNED OR CONTROLLED (EITHER WHOLLY OR PARTIALLY) BY THE DEVELOPER, DESCRIBE THE RELATIONSHIP BETWEEN THE DEVELOPER AND THE MARKETING ENTITY: _____
- _____
- _____

(LABEL ANY ADDITIONAL SHEET(S) "MARKETING ENTITY RELATIONSHIP")

B. TIME SHARE REGISTRAR

1. NAME: _____
2. REAL ESTATE LICENSE NUMBER (IF ANY): _____
3. BUSINESS ADDRESS & TELEPHONE NUMBER: _____
_____, () _____

C. INDEPENDENT ESCROW AGENT (IF REQUIRED AT PROJECT [NOTE : SEE N.C.G.S. 93A-41(5a) AND 42(c) AND (d)]

1. NAME: _____
2. BUSINESS ADDRESS & TELEPHONE NUMBER: _____
_____, () _____

D. PROJECT BROKER (MUST BE AN INDIVIDUAL- NOT FIRM)

1. NAME: _____ REAL ESTATE LIC. # _____
2. BUSINESS ADDRESS & TELEPHONE NUMBER: _____
_____, () _____

E. PERSONS SELLING TIME SHARES AT THE PROJECT:

BROKER
LICENSE
NUMBER

- | | | |
|-----|-------|---------|
| 1. | _____ | # _____ |
| 2. | _____ | # _____ |
| 3. | _____ | # _____ |
| 4. | _____ | # _____ |
| 5. | _____ | # _____ |
| 6. | _____ | # _____ |
| 7. | _____ | # _____ |
| 8. | _____ | # _____ |
| 9. | _____ | # _____ |
| 10. | _____ | # _____ |
- (LABEL ANY ADDITIONAL SHEET(S) "TIME SHARE SALESPERSONS")

VIII.

MANAGING ENTITY

FOR THE PURPOSE OF THIS APPLICATION, THE TERM "MANAGING ENTITY" REFERS TO THE PERSON OR ENTITY (AN OWNERS' ASSOCIATION, AGENT FOR THE OWNERS, ETC.) WHO WILL BE ULTIMATELY RESPONSIBLE FOR THE MAINTENANCE OF THE TIME SHARE FACILITIES ON BEHALF OF THE OWNERS.

A. MANAGING ENTITY

1. EXACT NAME: _____
2. ADDRESS & TELEPHONE NUMBER: _____
_____, () _____
3. IF THE MANAGING ENTITY IS AN OWNERS' ASSOCIATION, HAS IT BEEN OR WILL IT BE INCORPORATED UNDER NORTH CAROLINA LAW? ☐ YES ☐ NO ☐ N/A
4. ATTACH A COPY OF THE CHARTER OR ARTICLES OF INCORPORATION OF THE OWNERS' ASSOCIATION OR OTHER ENTITY CHARGED WITH THE ULTIMATE RESPONSIBILITY FOR MAINTAINING THE PROJECT, TOGETHER WITH ITS BYLAWS OR RULES OF OPERATION.

B. WHEN DID/WILL THE MANAGING ENTITY,

1. COME INTO BEING? _____
2. HOLD ITS FIRST MEETING OR CONDUCT BUSINESS? _____

C. HAS OR WILL THE DEVELOPER (EITHER AS OWNER OF ALL UNITS IN A NON-OWNERS' ASSOCIATION FORMAT OR AS OWNER OF ALL UNITS IN AN OWNERS' ASSOCIATION FORMAT) CONTRACT(ED) FOR MANAGEMENT SERVICES ON BEHALF OF THE MANAGEMENT ENTITY?

☐ YES ☐ NO ☐ N/A

D. IF THE PROJECT HAS HAD A PREVIOUS DEVELOPER, HAS THE MANAGING ENTITY CONTRACTED FOR MANAGEMENT SERVICES?

☐ YES ☐ NO ☐ N/A

E. IF THE ANSWER TO C OR D IS "YES", PROVIDE:

1. NAME, BUSINESS ADDRESS & TELEPHONE NUMBER OF THE MANAGER OR MANAGING ENTITY: _____
_____, () _____

2. NAME, BUSINESS ADDRESS & TELEPHONE NUMBER OF THE EXECUTIVE OFFICER AND EACH OWNER OR PRINCIPAL OF THE HIRED MANAGER:

1. _____
2. _____
3. _____
4. _____
5. _____

(LABEL ANY ADDITIONAL SHEETS "MANAGING ENTITY OWNERSHIP")

3. IS THE MANAGEMENT CONTRACT (CHECK ONE) ☐ WRITTEN ☐ ORAL ☐ N/A ?

- a. IF WRITTEN, ATTACH A COPY OF THE MANAGEMENT CONTRACT AND LABEL "MANAGING ENTITY CONTRACT".
- b. IF NOT WRITTEN, BRIEFLY DESCRIBE THE PRIMARY BUSINESS OF THE HIRED MANAGER (REALTY COMPANY, PROFESSIONAL PROPERTY MANAGER, ETC.); THE MANAGING ENTITY'S DUTIES; THE DURATION OF THE CONTRACT; AND THE MANNER IN WHICH THE CONTRACT MAY BE CANCELED.

(LABEL ANY ADDITIONAL SHEET(S) "MANAGING ARRANGEMENT")

- F. IN ADDITION TO THE OWNERS' ASSOCIATION (IF ANY), IS THERE NOW (OR WILL THERE BE) A MASTER, UMBRELLA OR COMMUNITY ASSOCIATION TO WHICH TIME SHARE OWNERS MUST BELONG AND PAY DUES OR ASSESSMENTS? ☐ YES ☐ NO ☐ N/A

IF YES, ATTACH A COPY OF THE ARTICLES OF INCORPORATION, BYLAWS OR RULES OF OPERATION OF SUCH ASSOCIATION.

IX.
AFFIDAVIT

STATE OF _____

COUNTY OF _____

THE UNDERSIGNED, BEING DULY SWORN DEPOSES AND SAYS THAT:

1. I HAVE READ THE APPLICATION FOR REGISTRATION AND ITS ATTACHMENTS AND HEREBY ACKNOWLEDGE THAT THE STATEMENTS HEREIN CONTAINED AND THE DOCUMENTS HERewith SUBMITTED ARE TRUE AND COMPLETE AS OF THE DATE OF EXECUTION HEREOF; AND
2. I AM THE DEVELOPER OF THE TIME SHARE PROJECT FOR WHICH APPLICATION FOR REGISTRATION IS HEREIN MADE, OR I AM THE OFFICER(S) OR ATTORNEY DULY AUTHORIZED BY THE DEVELOPER TO MAKE APPLICATION FOR AND EXECUTE THIS APPLICATION FOR REGISTRATION ON BEHALF OF THE DEVELOPER; AND
3. I HAVE READ AND UNDERSTAND N.C.G.S. 93A AND THE COMMISSION RULES WHICH ACCOMPANY IT, AND (IF APPLICABLE) N.C.G.S. 47A, THE UNIT OWNERSHIP ACT AND THE N.C.G.S. 47C, THE CONDOMINIUM ACT, AS THEY PERTAIN TO MY RIGHTS, DUTIES AND OBLIGATIONS AND THOSE OF MY REPRESENTATIVES; AND
4. I AGREE TO PROPERLY REPORT TO THE COMMISSION ANY CHANGES IN THE INFORMATION SUBMITTED HEREIN; AND
5. I CERTIFY THAT ALL ACTS ENGAGED IN AT THE TIME SHARE PROJECT FOR WHICH APPLICATION FOR REGISTRATION IS BEING MADE, WILL BE CONDUCTED IN FULL COMPLIANCE WITH THE PROVISIONS OF N.C.G.S. 93A ARTICLE 4.

FURTHER AFFIANT SAYS NOT.

If the Developer is a **Sole Proprietor**, this application must be signed by the Sole Proprietor or the Developer's Attorney.

STATE OF _____

COUNTY OF _____

Signature

I, _____, a Notary Public for said County and State, do hereby certify that _____ ☐ sole proprietor OR ☐ attorney for the developer (check the appropriate title) personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____ 200____.

(SEAL)

Notary Public

My Commission expires _____

If the Developer is a **Partnership**, this application must be signed by the General Partner or the Developer's Attorney.

Printed Name of Partnership

By: _____
Signature of General Partner or Developer's Attorney

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public for said County and State, do hereby certify that

☐ general partner of developer OR ☐ attorney for the
developer (check the appropriate title) personally appeared before me this day and acknowledged the due execution of the
foregoing instrument on behalf of the partnership.

Witness my hand and official seal, this the _____ day of _____ 200____.

(SEAL)

Notary Public

My Commission expires _____

If the Developer is a **Corporation**, this application must be signed by the president or vice-president or other authorized executive officer of the Corporation, or the Developer's Attorney.

Corporation Name

By: _____
Executive Officer OR Developer's Attorney Title of Executive Officer

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public for said County and State, certify that
_____, personally appeared before me this day and
acknowledged that he/she is ☐ _____ of _____, a
corporation, OR ☐ the attorney for the developer, a corporation, and that he/she, being authorized to do so,
executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the _____ day of _____ 20____.

(SEAL)

Notary Public

My Commission expires _____

If the Developer is a **LLC**, this application must be signed by two Managers of the LLC or the Developer's Attorney.

Name of Developer LLC

By:

Signature of Manager or Developer's Attorney

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public for said County and State, do hereby certify that

_____, and _____ ☐ managers

OR ☐ Attorney for the Developer (check appropriate position) personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

Witness my hand and official seal this _____ day of _____ 200____.

(SEAL)

Notary Public

My Commission expires _____